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PROCLAMATION • PROKLAMASIE

PROCLAMATION 28 OF 2017**LOCAL AUTHORITY NOTICE 4 OF 2017****MOGALE CITY LOCAL MUNICIPALITY****DECLARATION OF AGAVIA EXTENSION 7 AS AN APPROVED TOWNSHIP**

In terms of section 103 of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), the Mogale City Local Municipality hereby declares the township Agavia Extension 7 to be an approved Township, subject to the conditions set out in the Schedule hereto:

SCHEDULE

STATEMENT OF THE CONDITIONS UNDER WHICH THE APPLICATION DONE BY SILVERGLADE INVESTMENTS 20 (PROPRIETARY) LIMITED (HEREINAFTER REFERRED TO AS THE APPLICANT / TOWNSHIP OWNER) IN TERMS OF THE PROVISIONS OF CHAPTER III OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986), FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 5 (A PORTION OF PORTION 2) OF THE FARM WATERVAL 175 IQ, HAS BEEN APPROVED.

1. CONDITIONS OF ESTABLISHMENT**1.1 NAME**

The name of the township shall be **AGAVIA EXTENSION 7**

1.2 DESIGN

The township shall consist of erven and streets as indicated on **General Plan SG No 3174/2008**.

1.3 STORMWATER DRAINAGE AND STREET DESIGN

- (a) The township owner shall at the request of the local government supply the local government with a detailed scheme including plans, cross sections and specifications as compiled by a civil engineer approved by the Local Government for the provision of an underground water drainage system. Such system must be designed in order to dispose of the runoff of a 1.10 year rainstorm and must ensure that the runoff of a 1.50 year rainstorm be guided to the nearest defined watercourse without flooding any adjacent properties. The design of the drainage system must contain and describe aspects like tar macadamization, kerbing and canalization of roads as well as the provision of retaining walls if required by the Local Government.

The drainage system must, where necessary, make provision for the catchment of stormwater in catchment pits from where it must be disposed of in water tight pipes in such a way that no water collections or seepage shall occur on or near the ground surface. The mentioned water pipes must be manufactured from durable material and must be approved by the Local Government. The scheme must also indicate the route and gradient of the access to each individual erf from the adjoining street.

- (b) The township owner must construct roads according to the approved scheme at own costs and to the satisfaction of the local government, under the supervision of a civil engineer approved by the local government.
- (c) The township owner is responsible for the maintenance of streets to the satisfaction of the local government until the streets are completed according to sub clause (b) above.
- (d) If the township owner fails to comply with the stipulations of sub clauses (a), (b) and (c) above, the local government will be entitled to do the required construction at the cost of the township owner.

1.4 SEWERAGE

The township owner must, at the request of the local government, supply the following detail regarding the sewerage system of the proposed township:

- (i) Comprehensive lay-out plans;
- (ii) Cross sections; and
- (iii) Specifications of materials and equipment to be used during the construction of such sewerage system.

The sewerage system must be designed by an approved professional engineer according to the specifications and standards laid down by the local government, to the satisfaction of the Director: Water and Sanitation.

All materials to be used with the construction of the sewerage system is subject to the approval and/or amendment of the Director: Water and Sanitation.

1.5 WATER

The township owner must, at request of the local government submit a detailed scheme with plans, cross sections and specifications for the provision of an underground water reticulation system, for approval.

The proposed network must make provision for a pressurised water connection for each individual erf and must be designed by a professional engineer approved by the local government. All materials to be used in the proposed water network must approved by the local government.

1.6 ELECTRICITY

The township owner must, at the request of the local government submit a detailed scheme with plans and specifications for the provision of an internal reticulation network, for approval.

1.7 DISPOSAL OF EXISTING TITLE CONDITIONS

- 1.7.1 All erven must be made subject to existing conditions and servitudes and specifically the following condition which affects Erven 125, 126 and 127 in the township:

“A. The owner of the aforesaid property shall be entitled together with the other present and future owners of portion “B” of the said Farm to the enjoyment of a right of way 12.59 metres wide over the roadways shown on Diagram SG No A2254/1917 filed in the Deeds Office with Transfer No 1040/1918 and further that the aforesaid property shall be subject to a right of way 12,59 metres wide, as will appear from the Diagram SG No A2254/1917 filed in the Deeds Office with Transfer No 1040/1918.”

1.8 FORMATION, DUTIES AND RESPONSIBILITIES OF THE HOME OWNERS ASSOCIATION/ BODY CORPORATE

- (a) The applicant/township owner shall legally and properly constitute a Home Owners Association / Body Corporate prior to the transfer of any erf / sectional title unit in the township.
- (b) All streets and internal engineering services shall, prior to or simultaneously with the registration of the first erven in the township be transferred to the Home Owners Association / Body Corporate who shall take full responsibility for the maintenance of the said streets and all internal engineering services in the township.
- (c) All owners of stands or sectional units (or subdivided/consolidated portions thereof) in the township shall become and remain members of the Home Owners Association / Body Corporate and shall be subject to its memorandum and articles until such owners legally cease to be owners of the aforesaid.

1.9 REMOVAL OF REFUSE

The township owner must at its own cost remove refuse within the township to the satisfaction of the local government, if required by the local government.

1.10 REMOVAL OR REPLACEMENT OF MUNICIPAL SERVICES

If the establishment of the township results in any municipal services to be removed or replaced the costs of such removal or replacement must be borne by the township owner.

1.11 RELOCATION OF POWERLINES

If the establishment of the township results in any ESKOM equipment or services to be relocated the costs of such relocation must be borne by the township owner.

1.12 RELOCATION OF TELKOM EQUIPMENT

If the establishment of the township results in any TELKOM equipment or services to be relocated the costs of such relocation must be borne by the township owner.

1.13 RELOCATION OF INFORMAL SETTLEMENTS

The applicant shall, at his/her expense relocate all informal settlements on the property concerned, to the satisfaction of the local authority.

2. CONDITIONS OF TITLE

CONDITIONS IMPOSED BY THE LOCAL GOVERNMENT IN TERMS OF THE PROVISIONS OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986)

2.1 ALL ERVEN

- (a) The erf is subject to a servitude, 2 meters wide for sewerage and other purposes in favour of the local government along any two boundaries other than a street boundary and in the instance of a panhandle erf an additional 2 metres servitude wide servitude for municipal purposes over the access portion of the stand if and when required by the local government, provided that the local government may dispose of the right to any such servitude.

- (b) No buildings or other structures may be erected within the servitude area and no large rooted trees may be planted within the area of such servitude or within a distance of 2 metres thereof.
- (c) The local government is entitled to temporarily place any material excavated during the installation, maintenance or removal of a sewerage pipeline or any other works that is deemed necessary on the land adjacent to the servitude and furthermore the local government is entitled to reasonable entry to the said property on which the servitude is situated for the stated purpose, on the condition that the local government will be liable for any damage caused during the installation, maintenance or removal of sewerage pipelines and other works.

2.2 ALL ERVEN

- (i) The erven is situated on land with soil characteristics that may cause damage to buildings and structures to be erected thereon. Building plans submitted to the local government must indicate preventative measures in accordance with the recommendations contained in the engineering geology report which was done for the township, in order to limit damage to buildings or structures due to the unfavourable foundation conditions. Preventative measures need not be contained in the building plans if proof can be given by the developer that such measures are not required.
- (ii) In order to limit such damage the foundations and other structure elements of buildings and structures must be designed by a competent professional engineer. It is recommended that a specific foundation investigation be done for each individual erf prior to any construction taking place thereon

2.3 SERVITUDES IN FAVOUR OF THIRD PARTIES TO BE REGISTERED

ALL ERVEN shall be subject to the following conditions imposed and enforceable by Home Owners Association:

- (a) The purchaser on becoming the registered owner of the property, or a sub-division or consolidation thereof, or the holder of any surface rights herein, or the owner of any sectional title unit or member of a shareblock scheme on the property shall become and remain a member of the Association and be subject to its Memorandum and Articles of Association, in terms of which he acknowledges being fully acquainted with, until he ceases to be such registered owner.
- (b) The purchaser acknowledges that on becoming the registered owner of the property he shall be bound by the restrictions and benefit from favourable stipulations in the Memorandum and Articles of Association.
- (c) The property shall not be transferred without the consent of the Association which consent shall not be unreasonably withheld.

MP RAEDANI
MUNICIPAL MANAGER
01 MARCH 2017

LOCAL AUTHORITY NOTICE 5 OF 2017**MOGALE CITY LOCAL MUNICIPALITY****KRUGERSDORP AMENDMENT SCHEME 1310**

It is hereby notified in terms of the provisions of section 125(1) of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), that the Mogale City Local Municipality has approved an amendment scheme with regard to the land in the township **Agavia Extension 7** being an amendment of the Krugersdorp Town Planning Scheme, 1980.

The Map 3 documents and the scheme clauses of the amendment scheme are filed with the Municipal Manager of the Mogale City Local Municipality and the Director General: Gauteng Provincial Government, Department of Development Planning and Local Government, Corner House, Marshalltown, and are open for inspection during normal office hours.

This amendment scheme is known as Krugersdorp **Amendment Scheme 1310**.

MP RAEDANI
MUNICIPAL MANAGER

01 March 2017

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